

# **TOWN OF LAUDERDALE-BY-THE-SEA**

## **TOWN COMMISSION**

### **REGULAR MEETING**

#### **MINUTES**

Jarvis Hall

***4505 Ocean Drive***

***Tuesday, July 9, 2013***

***7:00 P.M.***

#### **1. CALL TO ORDER, MAYOR ROSEANN MINNET**

Mayor Roseann Minnet called the meeting to order at 7:00 p.m. Also present were Vice Mayor Scot Sasser, Commissioner Mark Brown, Commissioner Stuart Dodd, Commissioner Chris Vincent, Town Attorney Susan L. Trevarthen, Town Manager Connie Hoffmann, Assistant Town Manager Bud Bentley, Finance Director Tony Bryan, Municipal Services Director Don Prince and Town Clerk Vanessa Castillo.

#### **2. PLEDGE OF ALLEGIANCE TO THE FLAG**

#### **3. INVOCATION - Rabbi Bentzion Singer**

Rabbi Bentzion Singer gave the Invocation.

#### **4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS**

Town Manager Hoffmann reported that new item 17i regarding the East Commercial Valet Service License Agreement had been added.

#### **5. PRESENTATIONS**

- a. ScubaNation TV Show on Lauderdale-By-The-Sea (Public Information Officer Steve d'Oliveira)

Mr. d'Oliveira showed the second half of the ScubaNation show. The first half was shown at the previous Commission meeting. The second annual "Bug Fest" would take place on July 21 through 27, 2013.

#### **6. PUBLIC COMMENTS**

Mayor Minnet opened the meeting for public comment.

Robert Morgan, President of the Hampton Beach Club Association, thanked the Town for doing the study on the pedestrian walkway and urged the Commission to approve it.

Dr. Kenneth Most stated that the Town's Sister Cities Association was dissolved by the state, so he was surprised to hear one of the "Hometown Hero" nominees claimed to be its president. It was said the Association sponsored both "Movie Night" and ballroom dance lessons at Jarvis Hall, and neither event was related to the sister cities mission. He asked the Commission to put a stop to such misrepresentations.

Joan Schoj, a representative of the Hampton Beach Club Association, thanked Vice Mayor Sasser for spearheading the pedestrian walkway effort to help people cross the A1A to the parking lots. She hoped the Commission would give its full support.

Erik Schoj, a representative of the Hampton Beach Club Association, echoed thanks to Vice Mayor Sasser and the Town Commission for the pedestrian walkway.

Edmund Malkoon remarked on the success of the Town's Fourth of July event; the winners of the 2013 "Hometown Hero and Heroine" Ben Freeney and Bonnie Clark, the restoration of Spicola Park, dissatisfaction with various parking issues and moving up the parking study, and the "Fish Fry" event on August 22, 2013, to support businesses.

Cindy Geesey spoke on the accountability of the funds raised from "Movie Night" at Jarvis Hall, the use of Jarvis Hall and other Town facilities for misleading purposes, and the claims of an individual to be the president of the Town's dissolved Sister Cities Association.

John Boutin commented on the Town's very successful Fourth of July Event, the upcoming "Bug Fest" which would include a BioRock Project presentation and a "Master Chef" Competition; and the next "Relay for Life" event set for April 26, 2014. He felt Ms. Geesey's comments should not have been made in a public forum.

With no one else wishing to speak, Mayor Minnet closed the public comment portion of the meeting. She requested Town staff look into issues mentioned by Ms. Geesey.

## **7. PUBLIC SAFETY DISCUSSION**

None

## **8. TOWN MANAGER REPORTS**

### **a. Town Manager's Report (Town Manager Connie Hoffmann)**

Assistant Town Manager Bentley updated the Commission on the status of the Hampton Beach Club's request for a walkway across A1A. FDOT conducted a traffic study at no cost to the Town and informed staff that the criteria was met for a crossing.

The Town's traffic engineer for the project would meet with Hampton Beach Club representatives to discuss the actual location of the crossing and forward that to FDOT.

Vice Mayor Sasser thanked Mr. Bentley for his effort in this regard. He asked for a Commission consensus directing staff to move forward.

Mayor Minnet believed Town staff had already proceeded with the project.

Town Manager Hoffmann responded to comments made by the public: 1) if the Town's Sister Cities Association was dissolved, it could be revived if desired; 2) the public safety parking lot was not on this agenda since it was voted on at the last meeting and 3) there was no proposal to build a parking garage in the next fiscal year's budget, though the backup on the 5-Year Plan included an expansion of the Town's parking facilities. Her report was accepted as presented.

**b. Parking Exemption Report (Town Manager Connie Hoffmann)**

Town Manager Hoffmann presented the subject report as noted in the backup and said that no parking exemptions were given during the prior six months since no one had applied.

**c. Commercial Boulevard Projects Update (Town Manager Connie Hoffmann)**

Town Manager Hoffmann and the project team updated the Commission on the east and west Commercial Boulevard projects.

Commissioner Brown asked if the all-red pedestrian crossing experiment would cease, since Commercial Boulevard was now blocked off.

Town Manager Hoffmann stated the Town committed to an 8-week trial period. Town staff had asked the County traffic engineering Department to resolve the traffic signal timing issue.

Commissioner Brown thought the results of the trial would be skewed without the traffic on Saturday nights counted where Commercial was closed.

Town Manager Hoffmann concurred, stating staff would meet with all parties concerned in the next week and point out the futility of doing counts at present, but the trial should continue and the counts resumed at a later date.

Commissioner Brown felt the all-red camera trial should stop for the present if it caused traffic build-ups; if it did not, then it could proceed if staff so recommended.

Vice Mayor Sasser asked if the Commercial Boulevard projects were still on schedule. Mr. Carty replied they were on schedule for the West Commercial Project, and ahead of schedule by about a week for the East Commercial Project.

Vice Mayor Sasser thanked Town staff for responding expeditiously to public inquiries.

Commissioner Dodd commented on issues he saw in the all-red system. Though he was in favor of them, the signal issues for crossing pedestrians had to be resolved before regular implementation.

Mayor Minnet thought it was important for the Commission to know when businesses called with questions about the Commercial Boulevard projects. When property owners and project workers spoke to one another, it resulted in misinformation being given. Town staff/the project team needed to clearly establish contact people to give answers.

Mr. Carty agreed there needed to be clear lines of communication to prevent misinformation, hence the role of project liaisons, Leah Griffin for the contractor and Albert Carbon for the Town to ensure the consistency in any information given. Mr. Carty commented businesses needed to understand that the contractor could not satisfy requests without the sanction of the Town Commission and Manager.

Mayor Minnet supported the continuation of the all-red trials. She mentioned that there could be a major impact to the residential community with bypass driving, and residents should be alerted to this temporary occurrence.

**9. TOWN ATTORNEY REPORT**

None

**10. APPROVAL OF MINUTES**

None

**11. CONSENT AGENDA**

Commissioner Dodd requested to pull item 11a for further discussion.

**Commissioner Dodd made a motion to approve items 11b, 11c, 11d, 11e and 11f on the Consent Agenda. Commissioner Vincent seconded the motion. The motion carried 5-0.**

- a. Purchase of Pay Stations for West Commercial Parking Plazas (Assistant Town Manager Bud Bentley)**

Commissioner Dodd questioned if Town staff was aware at the time the meters were changed that the Florida Department of Transportation (FDOT) proposed taking 40 percent of the revenue, and that the Town could neither install or remove meters without FDOT's permission.

Assistant Town Manager Bentley replied that over two years ago, Town staff was directed by the Commission to expand the number of paid parking spaces. FDOT was

contacted about adding meters on the west Commercial Boulevard parking plazas, and the Town began processing a license agreement with FDOT. He noted FDOT later suspended the process after receiving a notice that the state was considering the development of a statewide policy, but the Town went ahead and installed the meters. Much later the DOT informed staff that they wanted to have a license agreement.

Assistant Town Manager Bentley stated that his dialog with the FDOT representatives indicated that the Town could forge a favorable agreement.

Commissioner Dodd thought it unreasonable for FDOT to receive 40 percent of the revenue without any responsibility for the meters' cost, maintenance, etc. If they wanted the revenue, they should take on those responsibilities and repay the Town a portion of the meters' cost. If FDOT refused, Town staff should investigate how to allocate the parking meters for free 30-minute parking for the businesses.

Assistant Town Manager Bentley believed the Town could return to its past policy of regulating meters for four hours of parking except by permit. It was FDOT's property and they could ask the Town to remove the meters.

Town Manager Hoffmann wished to allow Town staff to continue discussions, as FDOT was never asked if they would share in the purchase and installation cost of the meters.

Mayor Minnet agreed 40 percent was excessive.

Commissioner Brown suggested that staff either create a letter authorized by the Commission or draft a resolution in opposition to the subject arrangement, asking the Town's state representative and senator to intervene with FDOT.

Mayor Minnet directed the Town Manager to follow up on the item accordingly.

Town Manager Hoffmann affirmed staff would.

Commissioner Brown referred to Exhibit "2", a cost analysis that showed even without any revenue from the FDOT right-of-way, the pay stations were justified and paid for themselves in eight years. The Town had to install pay stations at the end of the project, and the meters on Commercial Boulevard was a separate matter. The core issue was the need for meters in the four plazas, and pay stations had to be ordered in advance.

**Commissioner Dodd made a motion to approve item 11a. Commissioner Brown seconded the motion. The motion carried 5-0.**

- b. Broward County Beach Cleanup Special Event (Assistant Town Manager Bud Bentley)**

**Approved on consent.**

- c. Acquisition of Choice Environmental by Waste Services of Florida, Inc.  
(Assistant Town Manager Bud Bentley)

**Approved on consent.**

- d. Public Safety Roof Award (Municipal Services Director Don Prince)

**Approved on consent.**

- e. ManCon Emergency Lateral Repair (Municipal Services Director Don Prince)

**Approved on consent.**

- f. Legal Expenses Budget Amendment (Municipal Services Director Don Prince)

**Approved on consent.**

**12. ORDINANCES – PUBLIC COMMENTS**

**a. Ordinances 1<sup>st</sup> Reading**

None

**b. Ordinances 2<sup>nd</sup> Reading**

None

**13. RESOLUTIONS – PUBLIC COMMENT**

None

**14. QUASI-JUDICIAL PUBLIC HEARINGS**

None

**15. COMMISSION COMMENTS**

(This item was discussed after Item 11a)

Commissioner Dodd thanked everyone involved in putting on the Fourth of July event and reported on a recent Hillsboro inlet meeting.

Mayor Minnet said the Fourth of July event was great and showed what could be achieved when everyone worked together. She urged those involved in the 2014 event to think about keeping all Fourth of July events in one location. The July 5<sup>th</sup> beach

cleanup was rained out, and she thanked Town staff and Beach Raker for cleaning up the beaches. She mentioned some funds were raised for the new Christmas tree.

Vice Mayor Sasser thanked everyone that helped make the Fourth of July event great. He liked the tents and dunk tank idea.

Commissioner Vincent agreed that the Fourth of July event was exceptional, commending everyone involved and congratulated Bonnie Clark.

Commissioner Brown piggybacked on the congratulations to everyone involved in organizing a very successful Fourth of July event, with special thanks to Aruba and the Village Grille for their donations. All the comments he received from everyone who attended were positive.

## **16. OLD BUSINESS**

### **a. FY 2014 Budget: Chamber Funding (Finance Director Tony Bryan)**

Mayor Minnet noted the letter from the Chamber in the backup answered the questions posed by Commissioner Dodd at the last Commission meeting.

Commissioner Dodd thanked Mr. Bryan for his research. In previous years, the Chamber was more open about their costs and the use of monies received from the Town. Since then the Chamber progressively withdrew their participation from Town events and appeared to refuse the Commission's requests to produce the figures as requested. Mr. Bryan's research clearly showed the monies given by the County to the Town were specifically to help offset the costs to run the Visitors Center and was never designated for the production of the Visitors Guide. He thought the Town should consider sending out an Invitation to Bid (ITB) for private company to run the Welcome Center and the Chamber is welcome to submit a bid.

**Commissioner Dodd made a motion that any monies/grants received from Broward County this year be used to reduce the Town's overall cost of running the Welcome Center instead of the monies going to the Chamber. Vice Mayor Sasser seconded the motion for discussion.**

Commissioner Brown questioned if the funds from the Town would go into the Town's general budget or be a part of the funds budgeted to help run the Visitors Center.

Commissioner Dodd clarified funds for the Visitors Center from the County should come directly to the Town. If the Chamber required additional funds for projects as part of running the Visitors Center, they could make a formal request to the Town.

Commissioner Brown felt the Chamber should run the Visitors Center, and if the County's donation brought those funds over what the Town appropriated, the excess funds should go back to the Town.

Commissioner Vincent agreed that the Chamber should run the Visitors Center, believing in past years the Chamber funded some of the shortfalls to run the Center without coming back to the Town for the more money. He felt the Chamber gave clear details on how funds were used, and if the County gave the Chamber money to run the Center, he doubted those funds could be given to the Town.

Chuck Maxwell, Vice President of the Chamber, stated the Visitors Guide was intended to promote local businesses, similar to the role of the Welcome Center, but the two were separate endeavors. The Visitors Guide was distributed to a wide variety of people and places, and any funding shortfall for either was covered by the Chamber. He reiterated the monies requested from the Town were for a full-time and a part-time person at the front desk of the Visitors Center. There were operational and other labor costs associated with the Center, and about 20 percent of Chamber President Malcolm McClintock's time was dedicated to the management of the Center. He viewed the relationship between the Chamber and the Town as a strategic partnership.

Commissioner Vincent inquired as to the position it would put the Chamber in if the County gave no funds to run the Welcome Center.

Mr. Maxwell indicated the Chamber was carrying a large amount of non-renewals and numerous people could not afford to be in the Visitors Guide. In past years, it was a break-even operation, and the way the Chamber operated the Visitors Guide changed over time. He could provide the Commission with information and meet with them to discuss the contract. As the County's funds were one of the four primary prongs of revenue, losing them would put the Chamber in a significant predicament.

Town Manager Hoffmann agreed the Visitors Guide and the Visitors Center were separate. Years prior, the Chamber applied for and were awarded funding from the Convention and Visitor's Bureau (CVB) for the Visitors Guide. She believed the Chamber was unable to transfer these funds to the Town, but the Town could apply for funds from the CVB for the Visitors Center.

Vice Mayor Sasser wondered if the funds given to the Chamber by the County were considered public monies, and was their accounting a matter of public record.

Town Attorney Trevarthen remarked the funds were subject to an agreement with the County, and the Town was not a party to that contract. She never saw the contract and was unaware if there were provisions addressing public accountability, though such documentation was usually public record, the Public Records Act had exceptions.

Vice Mayor Sasser considered it in poor taste for the Chamber not to provide the Commission with the requested information. The County's funds used to go directly to the Town, and the Commission agreed to allow those funds to be requested by the Chamber for the Visitors Center. He supported the Town's continued funding of the Visitors Center and suggested a motion to approve the Chamber's request for funds to



cover the costs for the two staff members. The Commission could direct staff to request that the County send future funding for the Visitors Center directly to the Town.

Commissioner Dodd reiterated his concern with the Commission's repeated requests to the Chamber over the last four years for an accounting of costs/revenues for the Visitors Center and Visitors Guide. He was happy to approve funding to make up the balance.

Mayor Minnet read into the record the February 2009 letter from the County Commission provided in the backup. She expressed confusion as to why the funds were sent directly to the Chamber, not the Town, for the Visitors Guide. A few years prior, the Town and the Chamber worked together, but this was no longer the case.

Commissioner Dodd preferred the funds to come directly to the Town, after which they would be disbursed to the Chamber to operate the Visitors Center.

Mayor Minnet summarized the motion to approve the Chamber's request for \$46,138, and for the Town to go to the CVB to apply for a grant to supplement the Visitors Center's operating costs in order to offset the Town's contribution to those costs. She added the Chamber and Town should work together on the effort.

Vice Mayor Sasser agreed with working together and with specifying that the County's funds should come to the Town.

**Commissioner Dodd made a motion to fund the Chamber's request of \$46,138 to operate the Visitor's Center and direct Town Staff to proceed with seeking a grant from the County Visitor's Bureau to defray the Town's costs the operation of the Visitor's Center. Vice Mayor Sasser seconded the motion. The motion carried 5-0.**

#### **Recess/Reconvene**

##### **b. Storm Water Project Priorities (Municipal Services Director Don Prince)**

Municipal Services Director Prince reviewed the subject item as detailed in the backup, stating 9 of the 15 projects identified would be completed by the end of year.

Mayor Minnet asked the Town Manager to discuss the El Mar Drive project.

Town Manager Hoffmann remarked that she included funding for El Mar Drive in the Town's Five-Year Capital Improvement Plan that the Commission would later review on the agenda.

Commissioner Brown addressed the El Mar Drive project, as the Town's Metropolitan Planning Organization (MPO) representative. The project would include bicycle lanes along and other improvements to make the area more pedestrian-friendly. He said drainage would be a major part of that MPO project, mentioning their willingness to spend some \$4 million on El Mar Drive. The MPO was told that although the Town was

interested, it was important to create a design that was acceptable to residents and the Town Commission. He indicated that the MPO wished to spread the funding over a five-year period and placed the Town's project low on the funding list. Commissioner Brown hoped to move the Town up on the list and proposed convening a meeting after the Town's budget meetings to begin crafting a design that would satisfy the MPO and El Mar residents. Most of the MPO funds would fund drainage improvements.

Mayor Minnet thought this was a great time for El Mar Drive, noting plans for that street had been contentious for many years. She hoped with the MPO opportunity there would be some consensus on how to proceed.

Vice Mayor Sasser asked if the item was purely informational or did the Town need to act, as he too thought it was a great opportunity for the Town, but he was concerned with the Town's ability to tackle another large-scale project in 2013.

Commissioner Brown indicated it was very unlikely anything would happen in 2014.

Commissioner Dodd commented a voters' referendum might be needed to make the MPO's suggested changes to El Mar Drive. He noted event car parking would be lost in such changes, and though the MPO opportunity was great for the Town, a public consensus and input was needed before going back to the MPO.

Commissioner Dodd felt, historically, the north end of the Town received the lion's share of the revenue generated through annexation. He hoped to see the south end get a fair share, with the caveat that a delay in the Bel Air repairs would not incur increased charges, create the possibility of sinkholes or other issues. He asked if portions of Bel Air could be deferred to allow the south end to resolve some of their drainage issues.

Municipal Service Director Prince replied, in the south side of Town, they were currently doing the H.A.T. (Hibiscus, Allenwood and Tradewinds) project which included landscaping, and the swales, and they hoped to do an in-house swale project in 2014. He believed the longer the Town waited to complete Bel Air, the higher the chances of failure.

Town Manager Hoffmann listed the drainage projects recently done in the south part of Town: Flamingo Drive, Trade Winds Drive, Harbor Drive, Bougainvillea Drive, and they proposed doing Poinciana, El Mar, and Basin Drive in the future.

**Vice Mayor Sasser made a motion to approve item 16b. Commissioner Vincent seconded the motion. The motion carried 5-0.**

- c. Super Storm Sandy Sand Army Corps of Engineers' Beach Re-nourishment Project (Municipal Services Director Don Prince)

Town Manager Hoffmann informed the Commission that she and the Town Attorney were comfortable with the easement agreements for the sand project. It remained for

the Commission to decide whether to use Pine Avenue or Washingtonia as the north sand delivery site. It was too late to consider the Minto property, as the Army Corps indicated if the easement agreements were not finalized by July 11, they would pull their funding.

Vice Mayor Sasser asked if the funds included the costs to repair the easements.

Town Manager Hoffmann answered yes, the Army Corps was obligated to restore the property for which they had access easements to the condition they were in prior to being used to deliver the sand.

Vice Mayor Sasser asked if the Town Commission could count on the agreement between the Town and the County being approved by the Army Corps of Engineers.

Town Manager Hoffmann said the agreement was with the County, not the Corps

Town Attorney Trevarthen was unsure whether the Corps had a veto or not. The agreement was not to authorize the beach re-nourishment, rather it was an agreement for the conditions under which the Corps could access Town property.

Commissioner Brown discussed pushing sand from Pompano down to the Town's beach, the number of delivery trucks, and how long it should take to deliver the sand.

**Commissioner Dodd made a motion to approve item 16b. Commissioner Brown seconded the motion. The motion carried 4-1. Mayor Minnet voted no.**

Mayor Minnet supported the project, but she preferred the use of the Pine Avenue portal, which she said she should have voted for earlier and apologized to staff and the public.

## **17. NEW BUSINESS**

- a. Commission Meeting Schedule for August (Town Manager Connie Hoffmann)

**Commissioner Dodd made a motion to approve item 17a, scheduling one Commission meeting in August on Tuesday, August 20, 2013. Commissioner Brown seconded the motion. The motion carried 5-0.**

- b. FY 2014 Budget: Schedule a Special Meeting in July and the First and Second Public Hearings in September to Adopt the Fire Assessment Fee, Millage Rate, and Budget for FY 2013-14 (Finance Director Tony Bryan)

There was a Commission consensus to accept the dates as presented: A Special Commission Meeting on Tuesday, July 23, 2013; the first Public Hearing on Tuesday, September 12, 2013; and the second Public Hearing on Tuesday, September 26, 2013.

- c. FY 2014 Budget: Ad Valorem Revenues Requirements (Finance Director Tony Bryan)

Finance Director Bryan reviewed item 17c as illustrated in the backup.

- d. FY 2014 Budget: Fire Fund Revenue Requirements (Finance Director Tony Bryan)

Finance Director Bryan presented item 17d as set forth in the backup.

Vice Mayor Sasser and Commissioners Brown and Vincent expressed they were in favor of a 5 percent reduction in the fee. Mayor Minnet and Commissioner Dodd were in favor of a 3 percent reduction. The Mayor noted a majority wanted the a 5 percent reduction in the Fire Service Fee for FY 2014.

- e. FY 2014 Budget: Draft 5-Year CIP (Town Manager Connie Hoffmann)

Town Manager Hoffmann went over the backup provided, reviewing the projects listed and noting the Commission needed to give Town staff immediate direction on the proposed capital expenses for FY 2014.

Commissioner Brown advised he and the Town Manager had a meeting scheduled with Fountainhead representatives to go over the conceptual designs; he would report to the Commission how those designs were received.

Mayor Minnet wished funds to be allocated by the Town for an in-house beach re-nourishment project, including planting sea oats. The community needed to know this would be a major project paid for by monies from the general fund.

**There was a Commission consensus to eliminate the \$350,000 for the design of El Mar Drive, move the beach bathrooms project to fiscal year 2015, and use the funds freed up from El Mar Drive to increase the contingency accounts for other projects.**

- f. Options to support businesses during construction of East Commercial Project (Town Manager Connie Hoffmann)

Mayor Minnet thanked Aruba's management as they were trying to create a positive momentum during construction. She read the listed options from the backup, and noted staff provided pros and cons for each option.

Commissioner Vincent felt the length of time free parking was used should be monitored and limited to a set number of hours.

Mayor Minnet concurred, stating her concern was employees using the free parking. She asked who would be monitoring the parking.

Town Manager Hoffmann replied it would be the parking company.

Commissioner Dodd asked if when parking came on line at the Minto lot, would it be free. He was concerned with the effect of the construction on visitors and suggested making parking free between 4:00 p.m. and 10:00 p.m.

Town Manager Hoffmann indicated the Town would charge for parking in the Minto lot, as free parking there would lure people away from parking at the El Prado lot.

Commissioner Brown preferred the Minto lot to be paid parking.

Vice Mayor Sasser agreed.

Mayor Minnet inquired into the cost to produce a special edition of *Town Topics*.

Town Manager Hoffmann responded a couple thousand dollars, noting businesses would be allowed to place advertisements without paying the normal fee, and with some offering discounts, specials, etc. to attract Town residents during the construction.

Vice Mayor Sasser supported doing a special edition and asked Public Information Officer Steve d'Oliveira to check with *The Highriser* and *The Pelican* to see if they were willing to do something similar.

Mayor Minnet suggested putting the *Town Topics* as a flyer or insert in those newspapers, as this might be more reasonable than placing an advertisement.

Town Manager Hoffmann added the *Town Topics* edition would include west Commercial Boulevard businesses.

**There was a Commission consensus to select Option #1 - have free parking at the A1A parking lot, posting adequate signage to indicate the parking was free in that lot for patrons of local businesses.**

**g. Broward County Historic Preservation Ordinance (Town Manager Connie Hoffmann)**

Town Manager Hoffmann discussed the subject item and its possible effect on the Town's governing powers as indicated in the backup.

There was a Commission consensus that the proposed County ordinance would reduce home rule, and though the Town could enact its own historic preservation ordinance, it would be very time consuming.

Vice Mayor Sasser asked if no action was taken, would this put the Town in jeopardy.

Town Attorney Trevarthen noted the ordinance was still a draft and had yet to go to a hearing. However, County ordinances could pass in one reading, so the Town ran a risk being silent. She believed the Town should ask the County to delay its decision to allow other cities time to do their own ordinance or recommend to the County that their ordinance be an opt-in/out rather than an automatic implementation. Staff could bring the Commission a resolution to this effect for review at the next Commission meeting.

**Vice Mayor Sasser made a motion to approve item 17g, directing the Town Attorney to create a resolution indicating the Town's opposition as discussed. Commissioner Vincent seconded the motion. The motion carried 5-0.**

**h. Upgrading Jarvis Hall Camera System (Public Information Officer Steve d'Oliveira)**

Mr. d'Oliveira stated that Commissioner Dodd had asked staff about the video quality of the meeting on the internet. Staff consulted an audiovisual consultant, and his investigation revealed that the cameras in Jarvis Hall were about ten years old and would cost \$22,000 to upgrade.

Commissioner Dodd supported the upgrade of the cameras at Jarvis Hall.

Vice Mayor Sasser questioned if the resolution problem on the internet was the same for television viewers.

Mr. d'Oliveira replied that Comcast provided the Town with a standard definition channel, with no plans to add a high definition channel. SIRE was upgrading its software in the fall, and the Town could send a high definition recording that would result in a better picture than on the television.

Vice Mayor Sasser mentioned a buffering problem with the current online feed that was likely to worsen with high definition, and he preferred to fix this issue first.

Mayor Minnet concurred with Vice Mayor Sasser.

**i. East Commercial Valet Service License Agreement (Assistant Town Manager Bud Bentley)**

Assistant Town Manager Bentley discussed item 17i, as detailed in the backup.

Town Attorney Trevarthen said the agreement would reflect non-substantial changes by the Town Manager and she after the Commission granted approval.

Commissioner Brown asked if the Town would pay for the valet service.

Assistant Town Manager Bentley stated the prices charged for the valet service would be approved by the Town Manager in advance to keep the rates reasonable.

Commissioner Brown inquired if the service would be on the west side of A1A.

Assistant Town Manager Bentley replied it depended on the phases of the MOT in effect at any given time.

Vice Mayor Sasser questioned if Town staff was aware of what others currently charged for valet service using private parking lots.

Assistant Town Manager Bentley believed it was currently \$5 for valet service, \$7 for all-day parking at the Aruba private lot across from Wings.

Vice Mayor Sasser commented on the license fee, wanting to ensure the Town was not charging for something it normally did not. It was all about making parking easier.

Town Attorney Trevarthen explained it was very clear in the agreement that the fee related only to the operation of valet parking in the Town's right of ways.

Assistant Town Manager Bentley added licensees would pay for transfer points, and this was consistent with other licenses. Cars could not be parked in Town spaces unless approved by the project manager.

Assistant Town Manager Bentley said Aruba would continue their valet, though they may need to move it at one point for the construction. This was to be an additional valet stand that would operate on the square for the benefit of the general public.

Town Attorney Trevarthen clarified the area in question was from Ocean Drive east to the Pavilion, and El Mar Drive between the north and south alleys.

Commissioner Vincent asked that the valet parking rates be posted in plain view.

Assistant Town Manager Bentley responded the rates had to be posted in two locations.

Commissioner Dodd favored the proposed agreement, but thought it should state which spaces could be used for valet parking to avoid charging for parking in free spaces.

Assistant Town Manager Bentley directed the Commission's attention to the last page of Exhibit "A", item 7, where it clearly stated parking in free spaces was forbidden.

Town Attorney Trevarthen added the language could include that if such authorization was granted, valets had to pay the meter charge for the time utilized.

Mayor Minnet thought the Town always needed a town-wide valet, and she hoped it would be a success and help the businesses.

**Commissioner Vincent made a motion to approve item 17i. Commissioner Dodd seconded the motion. The motion carried 5-0.**

**18. ADJOURNMENT**

Commissioner Dodd made a motion to adjourn. With no further business before the Commission, Mayor Minnet adjourned the meeting at 10:27 p.m.



Mayor Roseann Minnet

ATTEST:



Town Clerk Vanessa Castillo

9/25/13  
Date